



higher education
& training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

DHET SECONDMENT POLICY

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1. INTRODUCTION

1.1 Acronyms

ACRONYMS	DEFINITION
CET	Community Education and Training
DHET	Department of Higher Education and Training
HR	Human Resources
TVET	Technical and Vocational Education and Training

1.2 Glossary of Terms

TERMS	DEFINITION
COMPONENT	A part that makes up the Department at various levels- i.e. Head Office, Regional Offices and Colleges
COLLEGE	Public College
DELEGATED AUTHORITY	Any incumbent of a post to whom power has been delegated or who has been authorised to perform a duty in terms of a formal delegation. This also includes an official who lawfully acts in the capacity of the delegated authority
DEPARTMENT	Department of Higher Education and Training
EMPLOYEE	A person appointed in terms of the Public Service Act, 1994 as amended, excluding an Independent Contractor, who works for another person or for the State and receives, or is entitled to receive remuneration
EMPLOYER	Department of Higher Education and Training
EXECUTIVE AUTHORITY	The Minister of Higher Education and Training
HOME	The Component/Subcomponent where the Seconded is normally located. It may be;

	<ul style="list-style-type: none"> • within DHET- i.e. the Component/Subcomponent where the Secondee is normally located • outside the DHET- i.e. other Government entities or private organisations
HOST	<p>The Component/Subcomponent where the Secondee is undertaking the secondment</p> <ul style="list-style-type: none"> • Internal to DHET - The Component/Subcomponent where the Secondee will be based during his/her secondment • External to DHET- Other Government entities or private organisations where the Secondee will be based during his/her secondment
LINE MANAGER/ SUPERVISOR	Direct superior position to which an employee reports
REDEPLOYMENT	Is when an employee is permanently transferred from his/her substantive post to another post appropriate to his/her skills and experience
RESPONSIBLE HR UNIT	An HR Unit that may be based at either the Head Office, Regional Office or a Public College and has responsibilities and authority given in terms of the Departmental delegations referred herein and amended from time to time
SECONDEE	The employee who is seconded internally within the DHET or outside the DHET and performs work under a secondment arrangement
SECONDMENT	Is a temporary re-assignment of an employee, for a specified period of time, into a position other than the one in which he/she has been appointed for. It can either be within the DHET or outside the DHET where an external organisation or government department is involved
STAFF ESTABLISHMENT	The Employer's approved organisational structure of the Component listing all permanent positions which may or may not be filled at any given time

SUBCOMPONENT	A section within a Component, e.g. Branches, Chief Directorates, Directorates, Sub-Directorates in Head Office, Units in Regional Offices and Units in Colleges
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1.3 Policy Statement

The Employer is committed to attract, retain and develop skills, knowledge and experience of its employees and to identify good practice and enhance organisational flexibility. Secondment appointments provide employees with a range of potential professional development opportunities whilst supporting and enhancing operational efficiency through managing existing talent and succession planning. The potential use of a secondment can be identified by either the employee or Line Manager as part of the progress and development process or, if appropriate or when these posts are advertised.

1.4 Legislative Framework

- 1.4.1 Public Service Act No. 103 of 1994, as amended
- 1.4.2 Public Service Regulations, 2016
- 1.4.3 Employment of Educators Act 1998
- 1.4.4 ELRC Collective Agreement 2 of 2007
- 1.4.5 DHET Delegations of Authority according to the Public Service Act 103 of 1994 and Public Service Regulations of 2016
- 1.4.6 DHET Labour Relations Manual

* Where this Policy and the Delegations of Authority of the DHET differ the Delegations shall take precedence.

1.5 Purpose

The purpose of this Policy is to provide DHET components with guidelines and procedures to effectively ensure a structured, systematic and consistent management of the internal and external approach in relation to secondment arrangements. It forms part of the techniques and endeavours towards a successful recruitment strategy. It should be read in conjunction with the post establishment prescripts of the DHET and any related policies.

1.6 Objectives

The objectives of this Policy are to provide measures and guidelines for:

- 1.6.1 development of individuals;
- 1.6.2 additional means of advancing career paths;
- 1.6.3 addition to the skills base of the Department; and
- 1.6.4 opportunity to build or develop relationships with other Departments, Components or Organisations.

1.7 Principles

- 1.7.1 Fairness and transparency;
- 1.7.2 Empowerment and improved productivity;
- 1.7.3 Equity; and
- 1.7.4 Professionalism.

1.8 Scope of Application

This Policy is applicable to all permanent employees of the Department.

2. POLICY PROVISIONS

The following are the circumstances on which Secondment is considered:

- When a specific predetermined operational need exists for which special skills are required;
- To enable the Department to complete projects which have a limited life span; and
- To temporarily fill a vacant position in the Department or in its Ministry as per the Ministerial determination.

2.1 Principles of Secondment

Employees and Line Managers must keep the following principles in mind when secondment is considered:

- 2.1.1 a secondment is an opportunity for the development of employees, it should assist in **developing a set of skills** or allow the employee to be exposed to a work environment that provides him/her with valuable experience;
- 2.1.2 during a secondment the employee is transferred to take on duties for a particular project or role for a **limited period of time**;
- 2.1.3 during a secondment the employee continues to be employed by his/her original Unit and, at the end of the secondment **returns to his/her substantive post**;
- 2.1.4 managers of the substantive Departmental Unit should consider whether it is possible to release the employee from his/her current role for the requested time period, considering the needs of the Unit, the development needs of the employee and the Unit's ability to ensure that the **employee can return to the substantive role** and the requirements of the Employer; and
- 2.1.5 in the event that the employee's request for a secondment opportunity is refused, a review of the decision can be sought from the senior delegated authority.

2.2 Advertising of Secondments

- 2.2.1 Where a vacancy has been identified as a secondment opportunity in the Department, this will be advertised through the normal internal recruitment process. However, this excludes Ministerial determination posts.
- 2.2.2 Secondment vacancies will have full job descriptions and specifications drawn up.

2.2.3 All fixed-term or temporary vacancies with a duration of one year and less must be advertised.

2.2.4 Specifying that applications for secondment will be considered.

2.3 Benefits of Secondments

2.3.1 Benefits for the Seconded Employee:

- (a) Opportunity of wider career and personal development;
- (b) Opportunity to acquire valuable experience in project management;
- (c) Ability to test and apply specific skills in a different organisational environment; and
- (d) Opportunity to gain new skills through the provision of opportunity in different responsibilities.

2.3.2 Benefits for the Receiving Branch/Directorate/Unit:

- (a) The opportunity to gain enhanced employee skills, team working and cross-functional communications;
- (b) Develops valuable experience for an individual which is not currently available from the Employer;
- (c) Improvement in workforce morale and motivation; and
- (d) The opportunity to build a reputation as an Employer of choice.

2.3.3 Benefits for the Department:

- (a) Provides access to new expertise that may not otherwise be affordable;
- (b) Gains assistance with projects;
- (c) Gains an external perspective; and
- (d) Gains skills wider than those currently available within its own workforce.

2.4 Roles and responsibilities

2.4.1 Line Manager

- (a) Ensures that the employee is aware of and understands the Secondment Policy and Procedures;
- (b) Ensures that all secondment requests are given careful consideration and are accommodated where possible;
- (c) Ensures that the approval of secondment will not adversely affect the operational requirements;
- (d) Liaises with the responsible HR Unit and the host to agree on start dates, secondment period, reimbursement of costs, et cetera;
- (e) Ensures the arrangements to cover the Secondee's work during the secondment period;
- (f) Ensures that budget is available to cover any backfilling of the role on a temporary basis;
- (g) Ensures any backfilling of the post encompasses the timeframes of the secondment and includes a provision for possible early termination;
- (h) Ensures a tailored induction for the Secondee and performance review throughout;
- (i) Encourages feedback and evaluation from the Secondee on or prior to his/her return to his/her substantive post; and
- (j) Ensures the individual is supported on his/her return to his/her substantive post.

2.4.2 Employee

- (a) Prior to making an application for secondment the employee must speak to his/her Supervisor/Line Manager and obtain his/her agreement in writing to the application.

- (b) Identifies the benefits for his/her development from the secondment opportunity and how any new knowledge or experience gained will be of benefit to his/her substantive Department.
- (c) Familiarises him-/herself, and complies, with the Secondment Policy and procedure.
- (d) Signs the Secondment Agreement, signifying his/her understanding and acknowledgement to the Terms and Conditions set out in the agreement.

2.4.3 Human Resources

- (a) Ensure that the Secondment Agreement is drawn up, issued to all parties and signed appropriately;
- (b) Ensure that the Secondment Agreements are carefully monitored throughout the duration of the agreements; and
- (c) Ensure that any salary adjustments are in place for the Secondee.

2.4.4 Host

- (a) Provides clear rationale and business need for secondment; identifying specified outcomes along with an appropriate job description and specification setting out the skills and competencies required.
- (b) Identifies any terms and conditions that will apply to the seconded employee during the period of secondment that do not currently apply to the employee.
- (c) Identifies the period of secondment, normally lasting no shorter than three months and no longer than two years.
- (d) Identifies whether indemnity insurance will need to be provided and, if so, make the necessary arrangements.

2.5 Internal secondments

Temporary internal secondments occur when an employee takes up another position with a host at an equivalent or higher level with the expectation that such employee will return to his/her substantive post on the same terms and conditions applicable, prior to the secondment and upon completion of the secondment period. In this regard, where a seconded employee is required to act in a higher vacant post the normal procedures of the Department's Acting Policy must be adhered to. During an internal secondment the employee does not generally perform the roles and responsibilities of his/her substantive post.

Internal secondment is warranted by Host projects of limited or defined duration where an employee possesses particular skills or experience which are crucial to the success of the project or an operational need where redeployment is being contemplated.

Internal secondments may not be used ...

- 2.5.1 to permanently fill a vacant post on the staff establishment which must, in terms of the Recruitment and Selection Policy, be advertised and filled using a fair and transparent process. A short term secondment may however be used if the post has been advertised and a temporary assignment or acting appointment is not appropriate in the interim while the vacancy is being filled.
- 2.5.2 to fill a temporarily vacant higher level post where an Acting Appointment may be appropriate/possible.
- 2.5.3 to compensate for temporary changes to a job description where a temporary assignment is warranted.

2.6 External Secondments

An external secondment will involve a temporary transfer of an employee either to or from a partner organisation/government department/organ of

state. It must have a demonstrable benefit to the Department, in particular the extent to which the secondment would facilitate or enhance the achievement of the vision and mission. The strategic plan of the Department should be clear.

2.6.1 External Outward Secondments

- (a) An external outward secondment will occur when an employee of the Department remains under contract with this Department but is based in another organisation/department for a defined period of time.
- (b) Secondments will normally be restricted to a one-year maximum after which the employee will be expected to return to his/her substantive post or an extension may be negotiated.
- (c) Any secondment granted is at the discretion of the Employer. Employee's attendance, performance and conduct record will be taken into account together with the development opportunity provided to the individual.
- (d) The Secondee will maintain the same terms and conditions relating to his/her employment at the Department unless there is an agreement to the contrary.

2.6.2 External Inward Secondments

Inward secondments occur when a Department wishes to deploy an employee from another Component/Subcomponent who has specific skills and abilities needed to fulfil a particular role or project at the Component. This role or project will be of a limited duration and the Component will reimburse the releasing Component for the salary costs and expenses incurred by the Secondee for the duration of the secondment.

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If the post becomes open ended rather than fixed term it must be advertised as a new substantive role for the Component; and the Seconded may apply for the position but must be considered against other candidates as part of a transparent and fair recruitment exercise.

2.7 Secondment to Trade Unions

2.7.1 Entitlement

The Employer recognises the need for trade unions to utilise the skills and expertise of their members to manage the affairs of the trade union. Trade unions are therefore entitled to have their members seconded to trade unions registered with the **relevant bargaining council**, to occupy full-time positions to which they have been duly elected. This entitlement applies only to trade unions in good standing, and who comply with the provisions of the LRA and the Constitution of the Departmental **Bargaining Council (DBC)**. Before secondment both the Employer and the Union shall ensure the operational requirements will not be compromised due to the secondment of the employee.

2.7.2 Basis upon which the number of trade union members in good standing, will be allowed to be seconded for a contracted period of one year

- (a) Consideration must be given to the operational requirements of the DHET and specifically teaching and learning programmes at Colleges. It is important that the entitlement does not disrupt College programmes or the management thereof.

- (b) For this purpose this entitlement for Colleges is specifically structured in such a manner that it applies to a calendar year, that is, from 1 January to 31 December of each year.
- (c) Trade unions will have to elect or appoint their members on the basis of a calendar year.
- (d) The following formula will apply in respect of the secondment of trade union members in good standing, to full-time positions in a trade union for a period of one (1) year:

Number of audited employee organisation members (in respect of a federation, membership can only be counted once)	Number of members to be allowed to be seconded to full-time positions in an employee organisation
0-3 000	0
3 001-5 000	1
5 001-8 000	2
8 001-12 000	3
12 001-17 000	4
17 001 upwards	An additional 1 member for every 6 000 above 17 000 to a maximum of 7 additional members

2.7.3 Payment in respect of seconded employees

- (a) Members of trade unions in good standing, who have been seconded to trade unions in accordance with this entitlement, will retain all their benefits.
- (b) Trade unions must be responsible for refunding the full package payable to members seconded in terms of this entitlement.
- (c) The General Secretary of the Departmental Bargaining Council must keep separate and accurate records of payments made in terms of this entitlement.

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2.7.4 Entitlement in respect of national negotiators

- (a) This entitlement will apply only to national negotiators of trade unions in the Departmental Bargaining Council, who are employees of the DHET and who are representatives of the Departmental bargaining council in terms of the provisions of the relevant Bargaining Council.
- (b) Addition to the entitlement provided for in paragraph 2.7.2 and 2.7.3 above, trade unions are entitled to have national negotiators seconded.
- (c) Such secondment will be for a maximum period of one (1) year at a time.
- (d) The General Secretary of the Departmental Bargaining Council must from time to time, furnish the Director-General with the names and particulars of national negotiators.
- (e) The employer will remain responsible for the seconded employee's full remuneration package which is not subject to the provisions of paragraph 2.7.3(b), while the relevant trade union will be responsible for 50% of the full remuneration package of the temporary substitute.
- (f) The provisions relating to the retention of benefits and method of payment, as provided for in paragraph 2.7.4(e) apply **mutatis mutandis**.

2.8 Secondment of Shop Stewards

Refer to ELRC Collective Agreement 2 of 2007.

2.9 Salary and Benefits

- 2.9.1 The salary payments and increments for the employee will be paid as normal by the Department.
- 2.9.2 The host will be invoiced for the salary and relevant costs for the employee.

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- 2.9.3 The host will pay an external component for any salary or negotiated costs between the parties for an externally placed employee.
- 2.9.4 Annual leave entitlements will be as per the Secondee's contractual terms.

2.10 Secondment Allowance

- 2.10.1 An allowance is paid in accordance with the acting allowance when the employee is seconded to a position which is graded higher than the position they are appointed for as stipulated in the DHET Acting Policy.
- 2.10.2 If the Secondee is placed in a new or ungraded position, the position will be graded and the allowance will be paid in accordance with the DHET Acting Policy.
- 2.10.3 Employees that are seconded to the Ministry to a position that is graded higher than the position they are substantively appointed in, will receive an acting allowance for the period of the secondment and will revert to their substantive rank and salary particulars on termination of the secondment from the Ministry. In view thereof, such employees should not have an expectation of maintaining the positions that they have been seconded to within the Ministry.

2.11 Keeping in touch with External Secondees

- 2.11.1 The employee and Supervisor/Line Manager should maintain reasonable contact during the secondment period to ensure objectives are being met and make the return to work easier for both parties.
- 2.11.2 The employee must continue to report any leave and absence requests according to the DHET Leave Policy.
- 2.11.3 As a courtesy to the secondment host, the employee must report his/her planned and unplanned leave and absences.

2.11.4 The employee on secondment is expected to maintain any professional links and keep up to date with any significant developments in his/her area of work.

2.12 Early Termination

The secondment may not be terminated unilaterally by either the Employee, Supervisor/Line Manager or the Employer. If early termination is sought by either party, agreement must be reached and four weeks written notice given, however, it will not be unreasonably withheld.

2.12.1 A request for early termination from an employee will be considered alongside factors which shall include but not limited to:

- (a) the employment or contracting of another employee to cover the employee's duties during the Secondment period;
- (b) any adverse impact to the Host; and
- (c) the financial implications to the Host of having to terminate a third party contract entered into as a partial or direct result of the secondment.

2.12.2 A request for early termination from the Supervisor/Line Manager responsible for the secondment post will be considered alongside factors which shall include but not limited to:

- (a) under performance of the individual in the secondment role;
- (b) any adverse impact to the business or team; and
- (c) the financial implications to the Host of having to terminate a third party contract entered into as a partial or direct result of the secondment.

2.12.3 A request for early termination from the Component to another Component will be considered alongside factors which shall include but not limited to:

- (a) the employee obligations to the other Component he/she is working for during the secondment; and
- (b) the financial implications of having to terminate a third party contract entered into as a partial or direct result of the secondment.

2.12.4 A request for early termination from another Component will be considered alongside factors which shall include but not limited to:

- (a) an incident which constitutes gross misconduct;
- (b) the long term absence of the Seconded due to ill health; and
- (c) the financial implications of having to terminate a third party contract entered into as a partial or direct result of the secondment.

In the event early termination is agreed by all parties, transfer back to the employee's substantive role will be at the earliest opportunity and dates will be confirmed in writing by the responsible HR Unit.

2.13 Returning to the Substantive Post

- 2.13.1 The employee is expected to return to his/her substantive role and on the same terms and conditions prior to the secondment. The return date will be the next working day following the end date of the secondment period.
- 2.13.2 Any short term extension to the secondment will be agreed on a fixed term basis by all parties involved within six weeks of the agreement end date.
- 2.13.3 In the event an employee is to continue in the seconded role in an open ended arrangement after one (1) year, the seconded role will become his/her new substantive post and will forfeit his/her right to return to his/her original role.

2.13.4 The employee will be consulted, if it is not possible for the employee to return to his/her substantive role because:

- (a) his/her position has become redundant;
- (b) his/her duties have changed as a result of business re-organisation; and
- (c) there is a substantive business or occupational health reason.

2.13.5 Where the employee under notice of redundancy accepts an internal secondment, the offer will be made on the basis that the employee's position will become redundant at the end of the secondment if on fixed term contract.

2.14 Secondment Agreement

The employee will agree and sign the Secondment Agreement before moving to the Seconded post. If an employee is seconded upon his/her request, the relevant executive/delegated authority may bind him/her to continued employment in the department or another department immediately after the secondment for a period not exceeding the period of secondment.

3. DISPUTE RESOLUTION

Any dispute arising out of the interpretation and/or application of this Policy shall be dealt with in terms of the DHET Labour Relations Manual.

4. POLICY MONITORING

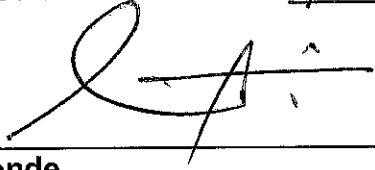
This Policy shall be monitored by the Directorate responsible for HRM.

5. POLICY REVIEW

The Policy shall be reviewed after every three years, unless changes in Legislation and Ministerial Directives dictate otherwise.

6. POLICY APPROVAL

Signed at Pretoria on this 12 day of MAY 20 19



Mr GF Qonde
Director-General: Department of Higher Education and Training